



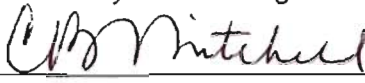
**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

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September 11, 2008

County Clerk/Registrar of Voters (CC/ROV) Memorandum #08275

TO: All County Clerks/Registrars of Voters

FROM:   
Cathy Mitchell  
Chief, Elections Division

RE: November General: Notice of US DOJ & GAO Polling Place  
Observation Programs

On September 8, the United States Department of Justice (US DOJ) held a conference call with National Association of Secretaries of State (NASS) members to brief state elections officials on US DOJ preparations and activities leading up to the November 4, 2008, General Election and the activities it plans to conduct on Election Day. We think it is important to share this information with you. The call provided a general outline of activities and some indication of areas of concern that US DOJ would be looking at.

US DOJ will conduct a "comprehensive" ballot access program. Hundreds of observers from the US DOJ and the Office of Personnel Management will be at polling locations throughout the country. The US DOJ did not provide any information on which states or counties it would be sending observers to. Any US DOJ employees can alert elections officials to concerns they have about anything they observe, but they are not authorized to intervene directly in any situation.

US DOJ will also establish 50 voter complaint hotlines that will be activated on E-6 (October 29, 2008) and will set up an Internet website and fax lines for people to access. Whether the US DOJ opts to notify state or local elections officials on the specifics of its polling place observation program and what comes out of the program will depend on the volume of calls and on the circumstances of the observation. The intent is to provide elections officials with notification of Election Day issues immediately, so corrective action can be taken to remedy the situation. If, for instance, voter intimidation is witnessed at a polling place, elections officials will be notified immediately.

The US DOJ officials indicated the specific areas of concern are poll worker requests for voter identification, poll worker training, adequate numbers of poll workers, equitable distribution of voting equipment, and provisional voting rights.

Please feel free to Chris Reynolds at (916) 651-7837 if you have any questions regarding the call.

At the same time, the United States Government Accountability Office's (GAO) is operating a separate polling place observation program.

It sent the Secretary of State a letter (a copy of which is attached) on August 29, 2008, stating its intent to visit polling places on Election Day to study voting access for people with disabilities, including older Americans and residents in long-term care facilities.

The GAO says it will visit the following seven counties:

Del Norte  
Los Angeles  
Monterey  
Sacramento  
San Diego  
San Luis Obispo  
Santa Clara

Per the GAO letter, it will be in touch with these counties directly in the very near future.

If you have any questions, please feel free to contact me at (916) 657-2166.



GAO

Accountability \* Integrity \* Reliability

United States Government Accountability Office  
Washington, DC 20548

August 29, 2008

The Honorable Debra Bowen  
Secretary of State  
1500 11th Street  
Sacramento, CA 95814

Dear Ms. Bowen:

The U.S. Government Accountability Office (GAO), an independent agency of Congress, has been asked by Congress to study voting access for people with disabilities, including older Americans and residents in long-term care facilities, during the 2008 general election. Congress has asked us to examine: (1) the actions states are taking to facilitate voting for people with disabilities, (2) the proportion of polling places with characteristics that might facilitate or impede voting access for people with disabilities, (3) the actions states and localities are taking to facilitate voting for long-term care residents while protecting against fraud and undue influence, and (4) the steps that the U.S. Department of Justice has taken to enforce the Help America Vote Act of 2002 (HAVA) voting access provisions. To determine how many polling places have features that might affect voting for people with disabilities, Congress has asked us to visit polling places on Election Day, November 4, 2008. I am writing to request your assistance in arranging our access to polling places within your state on Election Day.

The portion of our study on polling place accessibility is a follow-up to our assessment of polling places during the 2000 general election.<sup>1</sup> Given the close cooperation of states and overall success of the 2000 study, we are closely following that study's methodology. Specifically, we randomly selected 100 counties across the country in order to draw a nationally representative sample of polling places for the 2008 general election. Your state was selected for our sample. It is important for us to visit these states/counties to retain our ability to present a national assessment to the Congress. Your state gave GAO staff access to polling places for our 2000 study, and it is our hope that you will also provide access for this study. The information we collect on Election Day will be reported only in aggregate form--our report will not link any information to a specific polling place, county, or state.

For each county in our sample, we plan to send two GAO staff to a random sample of 3 to 8 polling places (some larger counties were selected more than once and will be covered by more than one GAO team). At each polling place we visit, GAO staff will observe the parking areas, the route to the voting area, the voting area itself, and the voting methods. We will also ask the official in

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<sup>1</sup> See *Voters With Disabilities: Access to Polling Places and Alternative Voting Methods* (GAO-02-107 Oct. 15, 2001), <http://www.gao.gov/new.items/d02107.pdf>.

charge of the polling place a few questions. These questions should take no more than 10 minutes to answer, and we expect each visit to be completed in 30 to 45 minutes. GAO staff will not approach voters or in any way interfere with voting activities.

Your assistance in taking the following two steps is much appreciated:

1. In order to facilitate admission of our staff members to polling places in your state, I request that you send GAO a letter or e-mail from your office or the state attorney general authorizing employees of the U.S. Government Accountability Office to enter polling places in your state in selected counties to observe voting access features and conduct a short interview with the official in charge of the polling place. It would also be helpful if you could note in the letter the expectation that GAO staff will not approach voters or in any way interfere with voting activities. GAO staff could then be prepared to present a copy of the authorization letter to the official in charge at each polling place we visit, along with their photo identification cards signed by the Comptroller General of the United States.
2. To avoid any confusion caused by our visits on Election Day, we also request that you inform the chief election officials(s) in Los Angeles County, San Diego County, Sacramento County, Santa Clara County, Monterey County, San Luis Obispo County, and Del Norte County that this (their) county(ies) is (are) part of our random sample and to let them know that we will be contacting them in the near future. We plan to visit at least 3 polling places in each of the counties in the sample but could visit up to 8, depending upon time constraints.

We are making every effort to minimize the burden of data collection for state officials, especially for collection efforts prior to the election. Therefore, in responding to Congress' request for information on state actions to facilitate voting for people with disabilities and residents of long-term care facilities, we will wait to conduct a national web-based survey of all 50 states and the District of Columbia until after the general election (around early December).

We realize that you and other election officials are extremely busy in preparing for the general election on November 4, 2008 and appreciate the cooperation of your state in our study. Please send a letter or e-mail authorizing GAO employees to visit polling places in your state on Election Day by September 12, 2008 to Laura Heald at [healdl@gao.gov](mailto:healdl@gao.gov) or fax the letter to 202-512-5804. Should you have any questions, please contact Laura Heald, Analyst-in-Charge, at 202-512-8701 or [healdl@gao.gov](mailto:healdl@gao.gov) or Brett Fallavollita, Assistant Director, at 202-512-8507 or [fallavollitab@gao.gov](mailto:fallavollitab@gao.gov).

Thank you for your assistance.

Sincerely yours,



Barbara D. Bovbjerg  
Director, Education, Workforce, and  
Income Security Issues